

2012 MAY 21 P 1:00

**IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT
IN AND FOR WALTON COUNTY, FLORIDA**

**BRYAN S. JEFFERY, as Trustee of the
Angus B. Wiles Trust effective October 31,2009,
and DAVID M. HAAK and DEBBIE R. HAAK,**

Plaintiffs,

v.

CASE NO. 12CA000519

**BLUE GULF CORPORATION,
a dissolved Florida corporation,**

Defendant.
_____ /

COMPLAINT

COME NOW Plaintiffs, **BRYAN S. JEFFERY, as Trustee of the Angus B. Wiles Trust effective October 31,2009**(hereinafter referred to as '**JEFFERY**') , and **DAVID M. HAAK and DEBBIE R. HAAK**(hereinafter jointly referred to as '**HAAK**'), and sue Defendant, **BLUE GULF CORPORATION**, (hereinafter referred to as '**BLUE GULF**') and allege:

GENERAL ALLEGATIONS

1. Plaintiff, **BRYAN S. JEFFERY, as Trustee of the Angus B. Wiles Trust effective October 31,2009**, is sui juris and is the owner of fee simple title to Lot 2, Block 10, according to the Plat of Blue Mountain Beach Subdivision No. 1, as recorded in Plat Book 2, Page 41, of the public records of Walton County, Florida, which plat is referred to hereinafter in Paragraph 7, and which parcel lies adjacent to the 'beach area' joining the south boundary of said subdivision as shown thereon. A certified copy of the Plaintiff's deed to the subject property is attached hereto as **Exhibit "A"**.

2. Plaintiffs, **DAVID M. HAAK** and **DEBBIE R. HAAK**, are sui juris and are the owners of fee simple title to Lot 3, Block 10, according to the Plat of Blue Mountain Beach Subdivision No. 1, as recorded in Plat Book 2, Page 41, of the public records of Walton County, Florida, which plat is referred to hereinafter in Paragraph 7, and which parcel lies adjacent to the 'beach area' joining the south boundary of said subdivision. A certified copy of their deed to the subject property is attached hereto as **Exhibit "B"**.

3. WEST FLORIDA DEVELOPMENT COMPANY, the corporate predecessor of Defendant, BLUE GULF, is a dissolved Florida for Profit corporation which was organized under the laws of the State of Florida on February 21, 1947 and which was voluntarily dissolved on October 23, 1968. A true and correct copy of the original copies of 'Certificate of Corporation', a 'Certificate' of a corporate resolution to sell and transfer all of its assets to Defendant, Blue Gulf Corporation and subsequent dissolution of the corporation and 'certificate of dissolution' as filed with and obtained from the State of Florida, Department of State, and an Official Certificate of the Secretary of State for West Florida Development Company, the originals of which copies were filed in the case of John G. Morris, et. al. v. Blue Gulf Corporation, Case No. 06-CA-000395, In the Circuit Court of the First Judicial Circuit In and For Walton County, Florida, stating the facts alleged herein are attached hereto and incorporated by reference herein as **Exhibit "C"**.

4. Defendant, BLUE GULF, which corporation purchased the remaining assets of, and was the successor in interest of all assets of West Florida Development Company, and which corporation is a dissolved Florida for Profit corporation was organized under the laws of the State of Florida on January 11, 1965, and administratively dissolved on July 2, 1973. A true and correct copy of the original copy of BLUE GULF CORPORATION's 'Articles of Incorporation' as filed with the State of Florida, Department of State, which were obtained from said Department and an official certificate of the Secretary of State stating the facts alleged above the originals of which were filed in the case of John G. Morris, et. al. v. Blue Gulf Corporation, Case No. 06-CA-000395, In the Circuit Court of the First Judicial Circuit In and For Walton County, Florida are attached hereto and incorporated by reference herein as **Exhibit "D"**.

5. BLUE GULF is the corporate successor in interest to the assets of WEST FLORIDA DEVELOPMENT.

6. There is no known or documented evidence of a successor to Defendant, BLUE GULF.

7. On or about October 6, 1948, WEST FLORIDA DEVELOPMENT COMPANY, as the owner the real property in Walton County, submitted to Walton County certain of its property to be subdivided and platted as 'Blue Mountain Subdivision No. 1', said plat being recorded in Plat Book 2 at Page 41 in the Public Records of Walton County, Florida, a true and correct copy of which is attached hereto and incorporated by reference herein as **Exhibit "E"**.

8. At the time of filing the Plat of Blue Mountain subdivision No. 1, WEST FLORIDA DEVELOPMENT COMPANY was also the owner of all of the real property lying 'south of the bluff line' (the south boundary of the said subdivision, as described in the Official Plat) to the 'mean high water line of the waters of the Gulf of Mexico'.

9. On or about November 7, 1955, WEST FLORIDA DEVELOPMENT COMPANY, executed and caused to be recorded in the Public Records of Walton County, Florida, in **Deed Book 141, at Page 182**, a covenant with *"its Grantees all the deeds covering lots in Blue Mountain Beach Subdivision No. 1"*, in which subdivision the subject properties of all Plaintiffs are located, which covenant provided in the event that WEST FLORIDA DEVELOPMENT COMPANY, or any successor, transferee corporation had its corporate existence terminated, that title to **"all of the beach area lying between Block 10, 11, 12 and 13 and the Gulf of Mexico will be conveyed to the individual owners of the lots in the above numbered blocks, their heirs, successors or assigns, without payment of further consideration"**. A true and correct copy of said document as recorded in the Public Records of Walton County is attached hereto and incorporated by reference herein as **Exhibit "F"**.

10. The covenant referred to above, in Paragraph 9 is a permanent covenant which runs with the land and title to all of the lots situated in Blocks 10, 11, 12, and 13 of the said subdivision.

11. The lots owned by the Plaintiffs herein are both situated in the Blocks referred to in above referenced Exhibit "F", and they are entitled to conveyance of fee simple title to the real property lying south of their respective lots as shown on the plat of said Blue Mountain Beach Subdivision No. 1, southward to the 'mean high water line of the waters of the Gulf of Mexico' as was covenanted by West Florida Development Company in said instrument a copy of which is attached as Exhibit "F".

12. In civil actions previously filed in this court against Defendant, BLUE GULF, being styled as John G. Morris, et. al. v. Blue Gulf Corporation, Case No. 06-CA-000395, In the Circuit Court of the First Judicial Circuit In and For Walton County, Florida, Sherry Rayborn v. Blue Gulf Corporation, Case No. 06-CA-000615, and that action being styled as Jackson v. Blue Gulf Corporation, Case No. 07-CA-000606, all of the Plaintiffs in those cases were similarly situated Plaintiffs, as owners of 'gulf front' lots situated in Blocks 10, 11, 12 and 13 in the 'Blue Mountain Beach Subdivision No. 1' whose actions against the said BLUE GULF were identical to Counts I and II as alleged hereinafter.

13. In the first case filed, the said *Morris* case, the Plaintiffs attempted to properly serve the members of the last known Board of Directors of BLUE GULF, but where unable to do so as it was shown and proven by competent evidence that 'all' members of the last known board were deceased which this Court found as a fact as stated in the 'Second Amended Final Summary Judgment'(s) entered by the Court which Order was recorded in Official Records Book 2758, at Page 383, at Official Records Book 2758, at Page 379 in the *Rayborn*, and in the Final Summary Judgment recorded in Official Records Book 2778, at Page 4238 in the *Jackson*. A true and correct copy of the 'Investigative Report' concerning the investigation and confirmation of the deaths of all of the last members of the BLUE GULF board of directors which was filed in the *Morris* case is attached hereto and incorporated by reference herein as **Exhibit "G"**. A clerk certified copy of the said judgment in the said *Morris* case stating such is attached hereto and incorporated by reference herein as **Exhibit "H"**.

14. In each of those actions mentioned in Paragraph 13, above, upon motion of the Plaintiffs this Court appointed J. LORRIANE BYTELL, as Attorney at Litem to represent the interests of BLUE GULF, who did so by filing a proper answer on their behalf.

COUNT I

15. Paragraphs 1 through 14 are hereby realleged and incorporated by reference herein.

16. This is an action for enforcement of the covenant referred to above in Paragraph 9 as it relates to the Plaintiffs as owners of a parcels of real property affected by the said covenant and for issuance of an Order of the Court authorizing and directing the conveyance of that certain real property identified as 'beach area' lying adjacent to and south of the said Lot 2, Block 10 owned by the Plaintiff, JEFFREY, and that certain real property identified as 'beach area' lying adjacent to and south of the said Lot 3, Block 10 owned by the Plaintiffs, HAAK being situated in the 'Blue Mountain Beach Subdivision No. 1', which property requested to be conveyed being specifically described as follows:

(A) All that property lying south of Lot 2, Block 10, according to the Plat of Blue Mountain Beach Subdivision No. 1, being adjacent to and between an extension of the side lot lines of said Lot 2, in Block 10, southward to the mean high water line of the waters of the Gulf of Mexico, lying in Section 12, Township 3 South, Range 20 West, Walton County, Florida. (Jeffrey)

(B) All that property lying south of Lot 3, Block 10, according to the Plat of Blue Mountain Beach Subdivision No. 1, being adjacent to and between an extension of the side lot lines of said Lot 3, in Block 10, southward to the mean high water line of the waters of the Gulf of Mexico, lying in Section 12, Township 3 South, Range 20 West, Walton County, Florida. (Haak)

17. There is no 'successor or corporate transferee' of BLUE GULF in existence which holds title to the 'beach area' south of Blocks 10, 11, 12, and 13 of the subject Blue Mountain Beach Subdivision No. 1 as referred to in the 'covenant' which is attached hereto as Exhibit "F".

WHEREFORE the Plaintiffs pray that this Court will take jurisdiction of the parties and the real property which is the subject matter of this action and enter an Order authorizing and directing the court appointed Attorney at Litem to convey to the Plaintiffs the subject property described above which lies south of their respective Lost, from the south boundary of said lot to the 'mean high water line' of the waters of the Gulf of Mexico, and for such other relief that the Court determines is equitable and just in this matter.

COUNT II

18. Paragraphs 1 through 14 are hereby realleged and incorporated by reference herein.

19. This is an action for a Declaratory relief pursuant to Florida Statutes Chapter 86 to confirm the entitlement of the Plaintiffs herein of a conveyance to them of 'the respective beach areas' lying south of the said Lots 2 (Jeffery) and 3 (Haak), Block 10 as the subject properties are each legally described in Paragraphs 19 and 20, below.

20. Plaintiff, JEFFREY is the fee simple owner of Lot 2, Block 10 in Blue Mountain Beach Subdivision No. 1, as described above in Exhibit A in Paragraph 1, and is entitled to conveyance of the real property lying south of and adjacent of to said Lot 2, southward to the 'mean high waterline of the Gulf of Mexico' which property is described on the Plat of the said subdivision as 'the beach area' and which parcel is described as follows, to-wit:

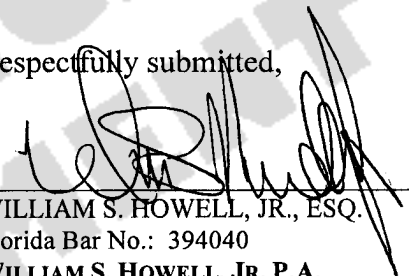
All that property lying south of Lot 2, Block 10, according to the Plat of Blue Mountain Beach Subdivision No. 1, being adjacent to and between an extension of the side lot lines of said Lot 2, in Block 10, southward to the mean high water line of the waters of the Gulf of Mexico, lying in Section 12, Township 3 South, Range 20 West, Walton County, Florida.

21. Plaintiffs, HAAK are the fee simple owners of Lot 3, Block 10 in Blue Mountain Beach Subdivision No. 1, as described above in Exhibit B in Paragraph 2, and are entitled to conveyance of the real property lying south of and adjacent of to said Lot 3, southward to the 'mean high waterline of the Gulf of Mexico' which property is described on the Plat of the said subdivision as 'the beach area' and which parcel is described as follows, to-wit:

All that property lying south of Lot 3, Block 10, according to the Plat of Blue Mountain Beach Subdivision No. 1, being adjacent to and between an extension of the side lot lines of said Lot 3, in Block 10, southward to the mean high water line of the waters of the Gulf of Mexico, lying in Section 12, Township 3 South, Range 20 West, Walton County, Florida.

WHEREFORE, Plaintiffs pray that this Court will enter a Declaratory Judgment adjudicating their rights of ownership and their entitlement to have the subject property described in Paragraphs 20 and 21, above to be conveyed to them and direct the conveyance of title by Court Ordered Trustee's Deed to their respective 'beach areas' as described in Paragraphs 20 and 21, above, and any other relief deemed proper and just by the Court.

Respectfully submitted,



WILLIAM S. HOWELL, JR., ESQ.

Florida Bar No.: 394040

WILLIAM S. HOWELL, JR. P.A.

1727 S. Co. Hwy. 393

Santa Rosa Beach, FL 32459

Phone: 850-622-0529

Fax: 850-622-0579

Attorney for Plaintiffs

This instrument was prepared by:
W. Inge Hill, Jr.
Hill, Hill, Carter, Franco, Cole & Black, P.C.
425 South Perry Street
Montgomery, Alabama 36104

Property Appraiser's Parcel Identification Number (Parent Parcel):
12-3S-20-34040-010-0020

LIMITED WARRANTY DEED

THIS LIMITED WARRANTY DEED, Made this 12th day of November, 2009, by REGIONS BANK, F/K/A FIRST ALABAMA BANK IN MONTGOMERY, AS TRUSTEE OF THE IDA BELLE YOUNG REVOCABLE TRUST DATED MARCH 13, 1995 (the "Grantor") whose address is c/o Regions Bank Trust Department, Attn: John Bell, P.O. Box 2450, Montgomery, AL 36102-2450, to BRYAN S. JEFFREY, AS TRUSTEE OF THE ANGUS B. WILES TRUST EFFECTIVE OCTOBER 31, 2009, together with the power and authority either to protect, conserve and to sell, or to lease, or to encumber, or otherwise to manage and dispose of the real property described herein (the "Grantee"), whose address is 11300 Cantrell Road, Suite 301, Little Rock, Arkansas 72212.

Witnesseth: that the Grantor, for and in consideration of the sum of \$100.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, premises, releases, conveys and conforms unto Grantee, his heirs and assigns, all of the Grantor's right, title, interest and claim in and to that certain land situated in Walton County, Florida, and more particularly described as:

Lot 2, Block 10, Blue Mountain Beach Subdivision No. 1, according to the Plat thereof filed in Plat Book 2, Page 41 of the Public Records of Walton County, Florida, together with all of Grantor's right, title, interest and claim in and to all (if any) buildings, fixtures and improvements forming a part of said real property

(hereinafter referred to as the "Property").

For the same consideration, the Grantor hereby releases, remises, quitclaims and conveys to the Grantee, his heirs and assigns, all of the Grantor's right, title, interest and claim in and to (a) all (if any) appurtenances, rights of way, privileges, easements and other rights benefiting or pertaining to the Property; and (b) any land lying in the right of way of any public street or road in front or adjoining the Property to the centerline thereof.

To Have and to Hold, the same in fee simple forever.

And the Grantor hereby covenants with said Grantee, his heirs and assigns, that the Grantor hereby warrants the title to said Property and will defend the same against the lawful claims of all persons claiming by, through or under the said Grantor, but not otherwise; provided, however, notwithstanding anything to the contrary provided herein, this conveyance and any and



all express or implied warranties of title hereunder are expressly made upon and subject to (a) all applicable federal, state, county, municipal and other governmental laws, statutes, codes (including but not limited to zoning and building codes), ordinances, orders, permits, rules and regulations affecting the Property; (b) the lien of taxes not now delinquent; (c) all, if any, covenants, restrictions, reservations, easements and rights of way affecting said Property that appear of record in the Public Records of Walton County, Florida; (d) any neighborhood plan affecting the Property that has been adopted at or prior to the closing of this sale; (e) all (if any) oil, gas, mineral, mining and drilling rights or reservations heretofore conveyed to or reserved by any third parties that appear of record in said Public Records; (f) all (if any) encroachments, overlaps, gaps, gores, boundary line discrepancies, losses due to erosion, storm damage or changes in the mean high tide, easements, rights of way and such other state of facts as would be revealed by a physical inspection or accurate and current ALTA urban as-built survey or topographical map of the Property; (g) the right, title or interest, if any, of the public to use any public beach or recreation area on any part of the Property lying between the water abutting the Property and the most inland of any of the following: (i) the natural line of vegetation, (ii) the most extreme high water mark, (iii) the bulkhead line, or (iv) any other line which has been or which hereafter may be legally established as relating to such public use; and (h) no express or implied warranty of any kind whatsoever is made with respect to riparian rights or the title to any portion of the Property lying below the ordinary high water mark.

NOTWITHSTANDING ANYTHING TO THE CONTRARY CONTAINED HEREIN, IT IS UNDERSTOOD AND AGREED THAT REGIONS BANK HAS EXECUTED THIS DEED SOLELY IN ITS REPRESENTATIVE CAPACITY AS TRUSTEE OF THE IDA BELLE YOUNG REVOCABLE TRUST DATED MARCH 13, 1995, AND NOT IN ITS INDIVIDUAL OR CORPORATE CAPACITY, AND ITS LIABILITY ARISING UNDER OR BY VIRTUE OF OR IN ANY WAY CONNECTED WITH THIS DEED OR ANY COVENANTS, WARRANTIES OR REPRESENTATIONS HEREIN CONTAINED, WHETHER EXPRESSED OR IMPLIED, SHALL BE LIMITED TO THE ASSETS HELD BY IT AS SUCH TRUSTEE UNDER AND PURSUANT TO SECTIONS 10 AND 11 OF ARTICLE V OF SAID TRUST AT THE TIME OF MAKING ANY CLAIM THEREFORE.

In Witness Whereof, Grantor has executed this Deed as of the day and year first above written.

Signed, sealed, and delivered in the Presence of:

GRANTOR:

George C. Smith III
Print Name: George C. Smith III

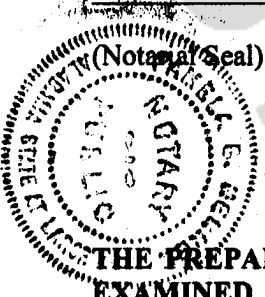
Robert W. Birmingham
Print Name: Robert W. Birmingham

REGIONS BANK, F/K/A FIRST ALABAMA BANK IN MONTGOMERY, AS TRUSTEE OF THE IDA BELLE YOUNG REVOCABLE TRUST DATED MARCH 13, 1995

By: John C. Bell
Name: John C. Bell
Title: Sr. VP & Trust Officer

STATE OF ALABAMA
COUNTY OF MONTGOMERY

The foregoing instrument was acknowledged before me this 12th day of November 2009, by John C. Bell, as Senior Vice President and Trust Officer of Regions Bank, F/K/A First Alabama Bank in Montgomery, as Trustee of the Ida Belle Young Revocable Trust dated March 13, 1995. He per is personally known to me, or _____ has produced _____ as identification.



Pamela B. Heuer
Name: PAMELA B. HEUER
Notary Public, State of Alabama
My Commission Expires: 4/27/2013

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: April 27, 2013

THE PREPARER OF THIS DEED SERVED AS SCRIVENER ONLY AND HAS NOT EXAMINED THE TITLE TO SAID PROPERTY AND STATES NO OPINION WITH RESPECT THERETO OR WITH RESPECT TO THE LEGAL DESCRIPTION THEREOF.

This instrument was prepared by:
W. Inge Hill, Jr.
Hill, Hill, Carter, Franco, Cole & Black, P.C.
425 South Perry Street
Montgomery, Alabama 36104

Property Appraiser's Parcel Identification Number (Parent Parcel):
12-3S-20-34040-010-0030

LIMITED WARRANTY DEED

THIS LIMITED WARRANTY DEED, Made this 12th day of November, 2009, by REGIONS BANK, F/K/A FIRST ALABAMA BANK IN MONTGOMERY, AS TRUSTEE OF THE IDA BELLE YOUNG REVOCABLE TRUST DATED MARCH 13, 1995 (the "Grantor") whose address is c/o Regions Bank Trust Department, Attn: John Bell, P.O. Box 2450, Montgomery, AL 36102-2450, to DAVID M. HAAK and DEBBIE R. HAAK (collectively, the "Grantee"), whose address is 3801 Jack Cullen Drive, Texarkana, AR 71854.

Witnesseth: that the Grantor, for and in consideration of the sum of \$100.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, premises, releases, conveys and conforms unto Grantee, his heirs and assigns, all of the Grantor's right, title, interest and claim in and to that certain land situated in Walton County, Florida, and more particularly described as:

Lot 3, Block 10, Blue Mountain Beach Subdivision No. 1, according to the Plat thereof filed in Plat Book 2, Page 41 of the Public Records of Walton County, Florida, together with all of Grantor's right, title, interest and claim in and to all (if any) buildings, fixtures and improvements forming a part of said real property

(hereinafter referred to as the "Property").

For the same consideration, the Grantor hereby releases, remises, quitclaims and conveys to the Grantee, his heirs and assigns, all of the Grantor's right, title, interest and claim in and to (a) all (if any) appurtenances, rights of way, privileges, easements and other rights benefiting or pertaining to the Property; and (b) any land lying in the right of way of any public street or road in front or adjoining the Property to the centerline thereof.

To Have and to Hold, the same in fee simple forever.

And the Grantor hereby covenants with said Grantee, his heirs and assigns, that the Grantor hereby warrants the title to said Property and will defend the same against the lawful claims of all persons claiming by, through or under the said Grantor, but not otherwise; provided, however, notwithstanding anything to the contrary provided herein, this conveyance and any and all express or implied warranties of title hereunder are expressly made upon and subject to (a) all applicable federal, state, county, municipal and other governmental laws, statutes, codes (including but not limited to zoning and building codes), ordinances, orders, permits, rules and regulations affecting the Property; (b) the lien of taxes not now delinquent; (c) all, if any, covenants,

P.C.



restrictions, reservations, easements and rights of way affecting said Property that appear of record in the Public Records of Walton County, Florida; (d) any neighborhood plan affecting the Property that has been adopted at or prior to the closing of this sale; (e) all (if any) oil, gas, mineral, mining and drilling rights or reservations heretofore conveyed to or reserved by any third parties that appear of record in said Public Records; (f) all (if any) encroachments, overlaps, gaps, gores, boundary line discrepancies, losses due to erosion, storm damage or changes in the mean high tide, easements, rights of way and such other state of facts as would be revealed by a physical inspection or accurate and current ALTA urban as-built survey or topographical map of the Property; (g) the right, title or interest, if any, of the public to use any public beach or recreation area on any part of the Property lying between the water abutting the Property and the most inland of any of the following: (i) the natural line of vegetation, (ii) the most extreme high water mark, (iii) the bulkhead line, or (iv) any other line which has been or which hereafter may be legally established as relating to such public use; and (h) no express or implied warranty of any kind whatsoever is made with respect to riparian rights or the title to any portion of the Property lying below the ordinary high water mark.

NOTWITHSTANDING ANYTHING TO THE CONTRARY CONTAINED HEREIN, IT IS UNDERSTOOD AND AGREED THAT REGIONS BANK HAS EXECUTED THIS DEED SOLELY IN ITS REPRESENTATIVE CAPACITY AS TRUSTEE OF THE IDA BELLE YOUNG REVOCABLE TRUST DATED MARCH 13, 1995, AND NOT IN ITS INDIVIDUAL OR CORPORATE CAPACITY, AND ITS LIABILITY ARISING UNDER OR BY VIRTUE OF OR IN ANY WAY CONNECTED WITH THIS DEED OR ANY COVENANTS, WARRANTIES OR REPRESENTATIONS HEREIN CONTAINED, WHETHER EXPRESSED OR IMPLIED, SHALL BE LIMITED TO THE ASSETS HELD BY IT AS SUCH TRUSTEE UNDER AND PURSUANT TO SECTIONS 10 AND 11 OF ARTICLE V OF SAID TRUST AT THE TIME OF MAKING ANY CLAIM THEREFORE.

In Witness Whereof, Grantor has executed this Deed as of the day and year first above written.

Signed, sealed, and delivered in the
Presence of:

GRANTOR:

George C. Smith III
Print Name: George C. Smith III

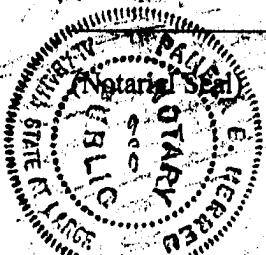
Robert W. Birmingham
Print Name: Robert W. Birmingham

REGIONS BANK, F/K/A FIRST ALABAMA
BANK IN MONTGOMERY, AS TRUSTEE OF
THE IDA BELLE YOUNG REVOCABLE TRUST
DATED MARCH 13, 1995

By: John C. Bell
Name: John C. Bell
Title: Sr. VP & Trust Officer

STATE OF ALABAMA
COUNTY OF MONTGOMERY
~5497135.doc

The foregoing instrument was acknowledged before me this 12 day of November 2009, by John C. Bell, as Senior Vice President & Trust Officer of Regions Bank, F/K/A First Alabama Bank in Montgomery, as Trustee of the Ida Belle Young Revocable Trust dated March 13, 1995. He ✓ per is personally known to me, or has produced as identification.



Pamela B. Herren
 Name: PAMELA B HERREN
 Notary Public, State of Alabama
 My Commission Expires: 4/27/2013

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
 MY COMMISSION EXPIRES: April 27, 2013
 BONDED THROUGH NOTARY PUBLIC UNDERWRITERS

THE PREPARER OF THIS DEED SERVED AS SCRIVENER ONLY AND HAS NOT EXAMINED THE TITLE TO SAID PROPERTY AND STATES NO OPINION WITH RESPECT THERETO OR WITH RESPECT TO THE LEGAL DESCRIPTION THEREOF.

State of Florida



Department of State

I certify the attached is a true and correct copy of the Articles of Incorporation of WEST FLORIDA DEVELOPMENT COMPANY, a corporation organized under the laws of the State of Florida, filed on February 21, 1947, as shown by the records of this office.

The document number of this corporation is 150164.

I further certify that said corporation was voluntarily dissolved on October 23, 1968.

Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capitol, this the
Seventh day of July, 2006



CR2EO22 (01-06)

Sue M. Cobb
Sue M. Cobb
Secretary of State

EXHIBIT

C

Blumberg No. 5208

CERTIFICATE OF CORPORATION

This is to certify that H. B. Underwood, W. Guy Macenzie, C. M. Adams, John Dorsey, Adrien Rivard, Clyde Harbison, Joe Long, Charles King, C. M. Jennings and A. S. Coveil do hereby associate themselves together as a body corporate under the laws of the State of Florida and the following proposed charter:

1. The name of the corporation shall be West Florida Development Company.
2. The general nature of the business to be conducted by the corporation shall be the buying, selling, leasing, developing or handling in any other means or manner real estate and the transaction of any and all other lawful business whether herein specified or not.
3. The maximum number of shares which the corporation shall have outstanding at any time shall be 100 all of common stock with equal voting powers and of no par value.
4. The corporation shall begin business with a capital of \$4,000.00 which shall be paid into the treasury of the corporation in cash or property amounting to not less than \$4,000.00.
5. The corporation shall have perpetual existence or shall continue in existence until dissolved in due course and operation of law.
6. The principal place of business shall be in De Funiak Springs, Walton County, Florida, with such branch offices and places of business, either within or without the State of Florida, as may be determined by the Board of Directors.
7. The Board of Directors shall consist of not less than three nor more than seven members, each of whom shall be a stockholder in the corporation.
8. The names and post office addresses of the first Board of Directors of the corporation, who shall serve for the first year of the existence of the corporation or until their successors are elected and qualified, shall be:

Joe Long	De Funiak Springs, Florida
Clyde Harbeson	De Funiak Springs, Florida
W. Guy McKensie	De Funiak Springs, Florida
John Dorsey	De Funiak Springs, Florida
Adrien Rivard	De Funiak Springs, Florida

9. The names and post office addresses and number of shares subscribed by each of the incorporators are as follows:

N. E. Underwood	De Funiak Springs, Florida	---10 shares
W. Guy McKensie	De Funiak Springs, Florida	---10 shares
N. E. Adams	De Funiak Springs, Florida	---10 shares
John Dorsey	De Funiak Springs, Florida	---10 shares
Adrien Rivard	De Funiak Springs, Florida	---10 shares
Clyde Harbeson	De Funiak Springs, Florida	---10 shares
Joe Long	De Funiak Springs, Florida	---10 shares
Charles King	De Funiak Springs, Florida	---10 shares
G. I. Jennings	De Funiak Springs, Florida	---10 shares
A. B. Covell	De Funiak Springs, Florida	---10 shares

10. The affairs of the corporation shall be handled by the first Board of Directors as named in paragraph #8 hereof until the first meeting of the stockholders of the corporation.

11. The By-Laws of the corporation shall be adopted by the Board of Directors at their first regular meeting or a subsequent meeting called for that purpose.

12. In the event any stock certificates issued by the corporation shall be lost or destroyed, stock certificates to replace such lost or destroyed certificates shall be issued only in strict compliance with the stock transfer act of the Laws of Florida.

13. No shares of stock at any time outstanding on the books of the corporation and owned by the corporation shall be sold by the corporation without the consent of 2/3rd of the stockholders of said corporation.

14. No stock in this corporation owned and held by any individual shall be sold or transferred by such individual until such individual owner has first offered said stock for sale to the corporation at a price not inconsistent with the actual value of said stock and the corporation has refused to purchase such stock.

15. The substance of the provisions restricting transfer of stock as set forth in paragraphs #13 and #14 of this certificate shall appear on the face of each stock certificate issued by the corporation.

[illegible]

Before the subscriber personally appeared J. M. Anderson, J. Jay McKenzie, E. L. Adams, John Dorsey, Adrian Rivera, Clyde Harrison, Joe Long, Charles King, J. M. Jennings and W. W. Howell known to me to be the individuals described in and who executed the foregoing instrument, and each for himself acknowledged before me that he executed said instrument for the uses and purposes therein expressed and set forth.

James M. Brown
 Deputy Public, State of Virginia
 at Large

my commission expires June 12, 1947

C E R T I F I C A T E

WEST FLORIDA DEVELOPMENT COMPANY, a Florida corporation having its principal place of business in DeFuniak Springs, Walton County, Florida, does hereby certify that the following is a true and correct copy of the resolution of the Board of Directors and stockholders of said corporation, which said resolution was passed by unanimous affirmative vote of all of the Directors and owner of all of the capital stock at a meeting held on September 18, 1968, and said resolution reads as follows, to-wit:

BE IT RESOLVED by the Board of Directors and the owner of all of the capital stock of West Florida Development Company, a Florida corporation having its principal place of business in DeFuniak Springs, Florida, that the corporation proceed forthwith to dispose of all of its assets by conveying all of the assets of said corporation to Blue Gulf Corporation, a Florida corporation having its principal place of business in Quincy, Florida, the owner and holder of all of the capital stock of the corporation; and that Charles S. Isler, Jr., as Attorney for the corporation, be authorized and directed to forthwith effect the dissolution of the corporation in accordance with the requirements of law.

And it is further certified that the names and addresses of the officers and Directors of the corporation are as follows, to-wit:

R. B. Davis, President and Director
416-A Broad Street, Nashville, Tennessee,

Peter E. Curlin, Vice President and Director
First American National Bank, Nashville, Tennessee,

Hal A. Davis, Secretary-Treasurer and Director
Citizens Bank Building, Quincy, Florida,

and the said parties were then and there acting for Blue Gulf Corporation, a Florida corporation having its principal place of business in the Citizens Bank Building, Quincy, Florida, the owner of all of the capital stock of the corporation being herein dissolved. And said parties were duly authorized to act for and in behalf of said owner of all of the capital stock.

IN WITNESS WHEREOF, WEST FLORIDA DEVELOPMENT COMPANY has caused these presents to be signed in its corporate name by its President

and its corporate seal to be affixed, attested by its Secretary,
this 18th day of September, A. D. 1968.

WEST FLORIDA DEVELOPMENT COMPANY

By R. B. Davis
its President

ATTEST:

By H. A. Davis
its Secretary

(corporate seal)



STATE OF FLORIDA

COUNTY OF BAY

Before the undersigned authority this day personally appeared R. B. Davis and Hal A. Davis, to me known and known to be the individuals described in and who executed the foregoing Certificate as President and Secretary, respectively, of West Florida Development Company, a corporation, and severally acknowledged to and before me that their execution thereof was their free act and deed as such officers of said corporation and that the seal affixed is the true corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office, this 18th day of September, A. D. 1968.

James M. Johnston
Notary public

My commission expires on 9/1/70
Notary Public, State of Florida
Qualified by the General Registrar to

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF BAY

R. B. Davis and Hal A. Davis, after being duly sworn, depose and say that they are President and Secretary, respectively, of West Florida Development Company, a Florida corporation having its principal place of business in DeFuniak Springs, Florida, and that they have knowledge of the matters and things recited; that said corporation is not indebted for property taxes, either tangible or intangible, and has no liability for sales or use taxes, or any other indebtedness of any kind whatsoever. This affidavit is given to comply with §608.27(1), Florida Statutes, and in order to induce the Secretary of State of Florida to proceed with the dissolution of said corporation in accordance with Certificate filed in his office.


R. B. Davis

Hal A. Davis

Sworn to and subscribed before me this 18 day of September,
A. D. 1968.


Notary Public

My Comm. Expires _____
I am _____
My Qual. Expires _____

CERTIFICATE OF CORPORATE DISSOLUTION

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF FLORIDA

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

This is to certify that, whereas A. B. GOWELL, DE FUNK SPRINGS, FLORIDA

<u>R. B. UNDERWOOD,</u>	<u>DE FUNK SPRINGS, FLORIDA</u>
<u>CLYDE HARRISON,</u>	<u>DE FUNK SPRINGS, FLORIDA</u>
<u>V. GUY MCKINLEY,</u>	<u>DE FUNK SPRINGS, FLORIDA</u>
<u>JOE LONG,</u>	<u>DE FUNK SPRINGS, FLORIDA</u>
<u>S. H. ADAMS,</u>	<u>DE FUNK SPRINGS, FLORIDA</u>
<u>CHARLES KING,</u>	<u>DE FUNK SPRINGS, FLORIDA</u>
<u>JOHN DORSEY,</u>	<u>DE FUNK SPRINGS, FLORIDA</u>
<u>G. M. JENNINGS,</u>	<u>DE FUNK SPRINGS, FLORIDA</u>
<u>ADRIEN RIVARD,</u>	<u>DE FUNK SPRINGS, FLORIDA</u>

did on the 21st day of FEBRUARY, A.D. 1967

cause to be incorporated under the laws of the State of Florida

WEST FLORIDA DEVELOPMENT COMPANY

a corporation, with its principal place of business at DE FUNK SPRINGS, WALTON COUNTY

in the State of Florida, and whereas such corporation did on the 19th

day of SEPTEMBER, A. D. 1968, cause to be filed in the office of the Secretary of State of the State of Florida, the documentary authority required under Section 608.27, Florida Statutes, showing the dissolution of such corporation, and the Secretary of State is satisfied that the requirements of law have been complied with, the said corporation, to-wit:

WEST FLORIDA DEVELOPMENT COMPANY

heretofore existing with its principal place of business at DE FUNK SPRINGS, WALTON COUNTY

in the State of Florida, has been and is dissolved and no longer exists under the laws of the State of Florida.

IN WITNESS WHEREOF, I have hereunto set my hand and have affixed the Great Seal of the State of Florida, at Tallahassee, the Capital, this the TWENTY-THIRD

OCTOBER day of

1968, A. D.

TOM ADAMS

Secretary of State

FINAL CERTIFICATE

State of Florida



Department of State

I certify the attached is a true and correct copy of the Articles of Incorporation of BLUE GULF CORPORATION, a corporation organized under the laws of the State of Florida, filed on January 11, 1965, as shown by the records of this office.

The document number of this corporation is 288570.

I further certify that said corporation was administratively dissolved on July 2, 1973.

Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capitol, this the
Seventh day of July, 2006



CR2EO22 (01-06)

Sue M. Cobb
Sue M. Cobb
Secretary of State

Blumberg No. 5208

EXHIBIT

D

()

X

ARTICLES OF INCORPORATION
OF
BLUE GULF CORPORATION

The undersigned subscribers to these articles of incorporation, each a natural person competent to contract, hereby associate themselves together to form a corporation under the laws of the State of Florida.

ARTICLE I. NAME

The name of this corporation is: Blue Gulf Corporation.

ARTICLE II. NATURE OF BUSINESS

The general nature of the business to be transacted by this corporation is: To manufacture, purchase, or otherwise acquire, and to own, mortgage, pledge, sell, assign, transfer, or otherwise dispose of, and to invest in, trade in, deal in and with goods, wares, merchandise, real and personal property, and services, of every class, kind, and description; except that it is not to conduct a banking, safe deposit, trust, insurance, surety, express, railroad, canal, telegraph, telephone or cemetery, a building and loan association, mutual fire insurance association, cooperative association, fraternal benefit society, state fair or exposition.

ARTICLE III. CAPITAL STOCK

The maximum number of shares of stock that this corporation is authorized to have outstanding at any one time is Five thousand shares of common stock having a nominal or par value of One Hundred Dollars per share.

RECEIVED
JAN 11 11 5 AM '85
CLERK OF THE
SOLICITOR
TALLAHASSEE, FLORIDA

()

ARTICLE IV. INITIAL CAPITAL

The amount of capital with which this corporation will begin business is Forty Nine Thousand Dollars.

ARTICLE V. TERM OF EXISTENCE

This corporation is to exist perpetually.

ARTICLE VI. ADDRESS

The initial post office address of the principal office of this corporation in the State of Florida is #7 West Washington Street, Quincy, Florida. The Board of Directors may from time to time move the principal office to any other address in Florida.

ARTICLE VII. DIRECTORS

This corporation shall have four directors, initially. The number of directors may be increased or diminished from time to time, by by-laws adopted by the stockholders, but shall never be less than three.

ARTICLE VIII. INITIAL DIRECTORS

The names and postoffice addresses of members of the first Board of Directors are:

<u>NAME</u>	<u>ADDRESS</u>
Robert L. Davis	2017 McGavock Pike, Nashville, Tenn.
Peter B. Curlin	980 Overton Lea Rd. Nashville, Tenn.
P. C. Elliott	415 Bushnell Nashville, Tenn.
J. B. Serle	900 Oak Valley Rd., Nashville, Tenn.

ARTICLE IX. SUBSCRIBERS

The name and postoffice address of each subscriber of these articles

of incorporation, the number of shares of stock each agrees to take and the value of the consideration therefor are:

<u>NAME</u>	<u>ADDRESS</u>	<u>SHARES</u>	<u>CONSIDERATION</u>
Robert B. Davis	2017 McGavock Pike Nashville, Tenn.	210	\$19,000.00 and services valued at \$2,000.00
Peter B. Curlin	980 Overton Len Rd. Nashville, Tenn.	100	\$10,000.00
P. C. Elliott	415 Bushnell Nashville, Tenn.	100	\$10,000.00
J. B. Seale	900 Oak Valley Rd. Nashville, Tenn.	100	\$10,000.00
Hal A. Davis	N. Shelfer St. Quincy, Florida	20	Services valued at \$2,000.00

ARTICLE X. AMENDMENT

These articles of incorporation may be amended in the manner provided by law. Every amendment shall be approved by the Board of Directors, proposed by them to the stockholders, and approved at a stockholders meeting by a majority of the stock entitled to vote thereon, unless all the directors and all the stockholders sign a written statement manifesting their intentions that a certain amendment of these articles of incorporation be made.

Robert B. Davis
Robert B. Davis

Peter B. Curlin
Peter B. Curlin

P. C. Elliott
P. C. Elliott

J. B. Seale
J. B. Seale

Hal A. Davis
Hal A. Davis

0

STATE OF TENNESSEE
COUNTY OF DAVIDSON

I hereby certify that on this day, before me, a Notary Public duly authorized in the state and county named above to take acknowledgments, personally appeared Robert B. Davis, Peter B. Curlin, P. C. Elliott and J. B. Scale, to me known to be the persons described as subscribers in and who executed the foregoing articles of incorporation, and acknowledged before me that they subscribed to those articles of incorporation.

Witness my hand and official seal in the county and state named above this 6 day of January, A. D. 1965.

NOTARY PUBLIC
My commission expires:

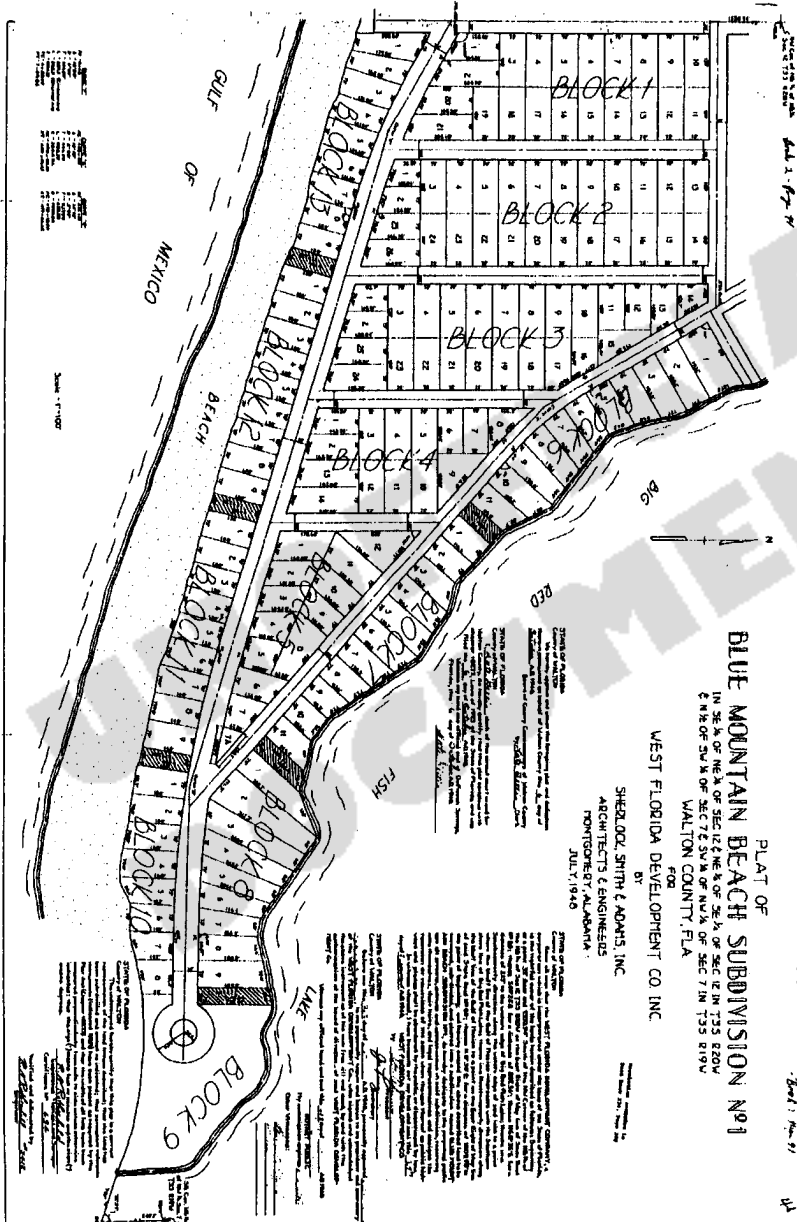
0

STATE OF FLORIDA
COUNTY OF GADSDEN

I hereby certify that on this day, before me, a Notary Public duly authorized in the state and county named above to take acknowledgments, personally appeared Hal A. Davis, to me known to be the person described as subscriber in and who executed the foregoing articles of incorporation, and acknowledged before me that he subscribed to those articles of incorporation.

Witness my hand and official seal in the county and state named above this 7th day of January, A. D. 1965.

NOTARY PUBLIC
My commission expires:



STATE OF FLORIDA
COUNTY OF WALTON

THIS INDENTURE made this the 7th day of November A. D. 1966, between West Florida Development Company, a corporation organized and existing under the laws of the State of Florida, having its principal place of business in the County of Walton, State of Florida, Party of the first part and its Grantees in all the deeds covering lots in Blue Mountain Beach Subdivision No. 1, Parties of the second part,

WITNESSETH, that the said party of the first part, for and in consideration of the premises and the sum of \$1.00 and other good and valuable considerations does hereby covenant with the parties of the second part that the beach as shown on the plat of Blue Mountain Beach Subdivision No. 1 is for the use and enjoyment of the property owners of Blue Mountain Beach and the party of the first part agrees that no act or conveyance by the party of the first part, its successors or assigns, whether voluntarily or involuntarily made will interfere with the normal use and enjoyment of said beach by the said parties of the second part, their heirs, successors and assigns, such restrictions to be a covenant running with the land of said beach area. Without otherwise limiting its application, the term "normal use and enjoyment" shall mean that any commercial use of such beach area is prohibited.

If the party of the first part or any successor or transferee corporation holding title to said beach area should be dissolved or have its corporate existence terminated, all of the beach area lying between Blocks 10, 11, 12 and 13 and the Gulf of Mexico will be conveyed to the individual owners of Lots in the above numbered Blocks, their heirs, successors or assigns without payment of further consideration, subject to the covenant recited above.

Likewise, should the party of the first part or any successor corporation or transferee of said beach area, whether a corporation or individual, abandon said beach area, then that portion of said beach area lying between the above described Blocks and the Gulf of Mexico will be conveyed as above

set forth without payment of further consideration, subject to this same covenant.

Any conveyance or transfer of said beach area, however effected, shall contain appropriate provisions to secure the enforcement of the foregoing rights and restrictions applicable to the beach area and conveyees or transferees, by the acceptance of such conveyances, will agree not to interfere with the normal use and enjoyment of said beach area by any owner of property in Blue Mountain Beach Subdivision No. 1.

IN WITNESS WHEREOF the said party of the first part has caused these presents to be signed in its name by its president and its corporate seal to be affixed, attested by its secretary, the day and year above written.

WEST FLORIDA DEVELOPMENT COMPANY
a corporation

By S. H. Adams
S. H. Adams, President

ATTEST:

R. B. Underwood, Secretary

Signed, sealed and delivered
in the presence of:

Wm. B. Drake
Paul A. Tschir

STATE OF FLORIDA
COUNTY OF WALTON

I hereby certify that on this 7th day of November A.D. 1955, before me personally appeared S. H. Adams and R. B. Underwood, respectively President and Secretary of West Florida Development Company a corporation organized under the laws of the State of Florida, to me known to be the individuals and officers described in and who executed the foregoing conveyance and severally acknowledged the execution thereof to be their free act and deed as such officers, and that the official seal of said corporation is duly affixed hereto and that said conveyance is the act and deed of said corporation.

WITNESS my hand and official seal this the day and year above written.

Wm. B. Drake
Notary Public, State of Florida at Large

My Commission expires: Aug. 12, 1957

I hereby certify that the above and foregoing instrument is a true and correct photo-copy of the original as filed for record at 11:15 o'clock A. M., this the 11th day of November A. D., 1955 in Book 141, Page 182.

E. E. Anderson
E. E. Anderson, Clerk Circuit Court
Walton County, Florida

By _____
Deputy Clerk

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT
IN AND FOR WALTON COUNTY, FLORIDA

JOHN G. MORRIS, JOHN T. CRUNK
and SUSAN LUCAS, formerly known as
SUSAN LUCAS UPDYKE,
Plaintiffs,

v.

CASE NO. 06-CA-000395

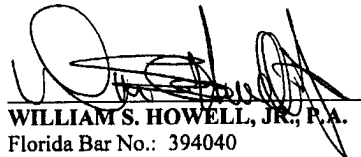
FILED
WALTON CO. FLORIDA
CLERK OF COURTS
2006 OCT 30 A 10:48

BLUE GULF CORPORATION,
a dissolved Florida corporation,
Defendant.
_____ /

NOTICE OF FILING INVESTIGATIVE REPORT

NOTICE IS HEREBY GIVEN of the filing by Plaintiffs, JOHN G. MORRIS, JOHN T. CRUNK and SUSAN LUCAS, formerly known as SUSAN LUCAS UPDYKE, of their Investigative Report, consisting of 12 pages, prepared by Donna J. Investigations, Private Investigator, of her search to confirm the deaths of the Board of Directors of BLUE GULF CORPORATION, Defendant in the above action. Said report confirms the deaths of all four (4) Directors of said corporation as shown in the files of the Secretary of State of Florida, Division of Corporations.

DATED this 26th day of October, 2006.


WILLIAM S. HOWELL, JR., P.A.
Florida Bar No.: 394040
1727 S. Co. Hwy. 393
Santa Rosa Beach, FL 32459
Phone: 850-622-0529
Attorney for Plaintiffs

S:\MORRIS LUCAS CRUNK\NotFilingInvestRpt.wpd

16gmt



DONNA J. INVESTIGATIONS

P.O. Box 1461 • Destin FL 32540
Ph: 850 830-2999 • Fax: 850 269-1980

Report on: Blue Gulf Corporation Board of Directors

Date: 13 October 2006

Request by: William Howell, Jr., P.A.

INFORMATION REQUESTED: Confirm deaths or current addresses of Blue Gulf Corporation Board of Directors. Specifically, Robert B. Davis; Peter B. Curlin; P.C. Elliott; and J. B. Seale.

INFORMATION OBTAINED:

- 1) Copy of death certificate for Robert B. Davis
- 2) Verification of Death Facts, Tennessee Department of Health Office of Vital Records for Peter B. Curlin AND John B. Seale
- 3) Match of address for Phillip C. Elliott through the address listed on the Articles of Incorporation and Comprehensive Report indicating Mr. Elliott is deceased

Status: Closed

Investigator: Donna Johns



TENNESSEE DEPARTMENT OF HEALTH
OFFICE OF VITAL RECORDS

APPLICATION FOR VERIFICATION OF DEATH FACTS

THIS APPLICATION **MUST BE ACCOMPANIED BY A CHECK OR MONEY ORDER MADE PAYABLE TO TENNESSEE VITAL RECORDS FOR \$12.00.**

Name and mailing address where verification is to be sent:

Name of Individual or Requesting Agency Donna Johns Date October 5, 2006
Street Address 123 Lake Front Drive Telephone No. (850) 830-2999
City Destin, Florida State 32550 Zip

In order for the Office of Vital Records' staff to search the files of death records, please provide the following information from the record you are requesting:

Year of Death _____ Name of Deceased Person _____

Also complete items 1-5 below if you have that information. This allows the Office of Vital Records to perform a more accurate search.

A fee of \$12.00 is charged for the search of the year and the name entered above. This fee is charged even if no record is found. If you want to search more than one year of records, please enclose \$12.00 for each additional year. The Office of Vital Records maintains death records for the past fifty (50) years. Earlier years may be obtained at the State Library & Archives.

1. Full name of Deceased: Peter B. Curlier
First Middle Last
2. Date of Death: February 1982
Month Day Year
3. Place of Death: Albany Tennessee
City County State
4. Residence at Time of Death: _____
City County State
5. Decedent's parents:

Mother's: _____
First Middle Maiden Name
Father's: _____
First Middle Last

MAIL THIS APPLICATION TO:

Tennessee Department of Health
OFFICE OF VITAL RECORDS
Central Services Building
421 5th Avenue North, 1st floor
Nashville, TN 37247

DO NOT WRITE BELOW. THE STAFF AT THE OFFICE OF VITAL RECORDS WILL ENTER INFORMATION.

This form is not a death certificate.
The information is transcribed from the original document.

1. Name of Decedent:	Peter Buchanan Curlin
2. Sex:	Male
3. Date of Death:	February 27, 1982
4. Age at time of Death:	66
6. Date of Birth:	September 27, 1915
7. Place of Birth:	Kentucky
8. Was Decedent Ever in the Armed Forces:	<input type="checkbox"/> Yes <input type="checkbox"/> No ? From Not on certificate to
9. Place of Death:	Union City Tennessee Obion County
10. Facility Name and Address:	Obion County General Hospital
11. Marital Status:	Married
12. Spouse's Name:	Mary Hamblin Hudgins
13. Decedent's Occupation - Kind of Business:	Financial Consultant / Banking
14. Decedent's Residence:	919 East Exchange Union City, TN
15. Race:	White
16. Education:	Not on certificate
17. Father's Name:	Prather B. Curlin
18. Mother's Name:	Elizabeth Seates
19. Informant's Name:	Mrs. Mary Curlin
20. Informant's Relationship:	Spouse
21. Mailing Address:	919 East Exchange Union City, TN
22. Method - Place of Disposition:	Burial / East View Cemetery Union City, TN
23. Funeral Director:	Gus B. White III
24. Embalmer:	Gus B. White III
25. Name and Address of Funeral Home:	White-Ranson Union City, TN 38261
26. Medical Examiner's Name and Address:	Not on certificate
27. Physician's Name and Address:	Grover Schleifer III (MD) P.O. Box 220 Union City, TN 38261
28. Date Certificate Filed:	March 9, 1982
Other Information:	

SHARON M. LEINBACH
VERIFIED BY INDEX

☐ We were unable to locate a certificate with information given.

Verified By: *Sharon M. Leinbach*
Title: *Information Assistant*
Date Verified: *October 5, 2006*



TENNESSEE DEPARTMENT OF HEALTH
OFFICE OF VITAL RECORDS

APPLICATION FOR VERIFICATION OF DEATH FACTS

THIS APPLICATION MUST BE ACCOMPANIED BY A CHECK OR MONEY ORDER MADE
PAYABLE TO TENNESSEE VITAL RECORDS FOR \$12.00.

Name and mailing address where verification is to be sent:

Donna Johns October 5, 2006
Name of Individual or Requesting Agency Date
123 Lake Front Drive
Street Address Telephone No. (856) 830-2999
Austin Florida 32550
City State Zip

In order for the Office of Vital Records' staff to search the files of death records, please provide the following information from the record you are requesting:

Year of Death Name of Deceased Person

Also complete items 1-5 below if you have that information. This allows the Office of Vital Records to perform a more accurate search.

A fee of \$12.00 is charged for the search of the year and the name entered above. This fee is charged even if no record is found. If you want to search more than one year of records, please enclose \$12.00 for each additional year. The Office of Vital Records maintains death records for the past fifty (50) years. Earlier years may be obtained at the State Library & Archives.

1. Full name of Deceased: John B. Deale
First Middle Last
2. Date of Death: October 10 1982
Month Day Year
3. Place of Death: Hamilton Tennessee
City County State
4. Residence at Time of Death: _____
City County State
5. Decedent's parents:

Mother's: _____
First Middle Maiden Name

Father's: _____
First Middle Last

MAIL THIS APPLICATION TO:

Tennessee Department of Health
OFFICE OF VITAL RECORDS
Central Services Building
421 5th Avenue North, 1st floor
Nashville, TN 37247

DO NOT WRITE BELOW. THE STAFF AT THE OFFICE OF VITAL RECORDS WILL ENTER INFORMATION.

This form is not a death certificate.
The information is transcribed from the original document.

1. Name of Decedent:	John Berryman Seale Sr.		
2. Sex:	Male		
3. Date of Death:	October 10, 1992	4. Age at time of Death:	75
6. Date of Birth:	August 18, 1917		
7. Place of Birth:	Sumter County Alabama		
8. Was Decedent Ever in the Armed Forces:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No From _____ to _____		
9. Place of Death:	Red Bank Tennessee Hamilton County		
10. Facility Name and Address:	Erlanger Medical Center North		
11. Marital Status:	Married		
12. Spouse's Name:	Anna Marie Finney		
13. Decedent's Occupation - Kind of Business:	Vice President / Krystal Company		
14. Decedent's Residence:	1112 Glamis Circle Signal Mountain, TN 37377		
15. Race:	White	16. Education:	College - 2
17. Father's Name:	Clifton Carter Seale		
18. Mother's Name:	Bessie - Pope		
19. Informant's Name:	Anna Marie Seale		
20. Informant's Relationship:	Spouse		
21. Mailing Address:	1112 Glamis Circle Signal Mountain, TN 37377		
22. Method - Place of Disposition:	Burial / Mount Olive Cemetery Nashville, TN		
23. Funeral Director:	Larry Dale Norris		
24. Embalmer:	Ronnie Wright		
25. Name and Address of Funeral Home:	Chattanooga Fun. Hm. 1724 McCallie Ave. Chattanooga, TN 37404		
26. Medical Examiner's Name and Address:	Not on certificate		
27. Physician's Name and Address:	James Stanka (MD) 428 Morrison Springs Rd. Chattanooga, TN 37415		
28. Date Certificate Filed:	October 22, 1992		
Other Information:			

SHARON M. LEINBACH
VERIFIED BY INDEX



We were unable to locate a certificate
with information given.

Verified By: *Sharon M. Leinbach*

Title:

Date Verified:

Information Assistant
October 5, 2006



TENNESSEE DEPARTMENT OF HEALTH
OFFICE OF VITAL RECORDS

APPLICATION FOR VERIFICATION OF DEATH FACTS

THIS APPLICATION **MUST** BE ACCOMPANIED BY A CHECK OR MONEY ORDER MADE
PAYABLE TO TENNESSEE VITAL RECORDS FOR \$12.00.

Name and mailing address where verification is to be sent:

Name of Individual or Requesting Agency Donna Lohna Date October 6, 2006
Street Address 9123 Lake Front Drive Telephone No. (850) 830-2999
City Destin, FL State FL Zip 32550

In order for the Office of Vital Records' staff to search the files of death records, please provide the following information from the record you are requesting:

Year of Death _____ Name of Deceased Person _____

Also complete items 1-5 below if you have that information. This allows the Office of Vital Records to perform a more accurate search.

A fee of \$12.00 is charged for the search of the year and the name entered above. This fee is charged even if no record is found. If you want to search more than one year of records, please enclose \$12.00 for each additional year. The Office of Vital Records maintains death records for the past fifty (50) years. Earlier years may be obtained at the State Library & Archives.

1. Full name of Deceased: Phillip C. Elliott
First Middle Last
2. Date of Death: 06 1985
Month Day Year
3. Place of Death: Davidson Tennessee
City County State
4. Residence at Time of Death: _____
City County State
5. Decedent's parents:

Mother's: _____
First Middle Maiden Name

Father's: _____
First Middle Last

MAIL THIS APPLICATION TO:

Tennessee Department of Health
OFFICE OF VITAL RECORDS
Central Services Building
421 5th Avenue North, 1st floor
Nashville, TN 37247

DO NOT WRITE BELOW. THE STAFF AT THE OFFICE OF VITAL RECORDS WILL ENTER INFORMATION.
This form is not a death certificate.
The information is transcribed from the original document.

1. Name of Decedent:			
2. Sex:			
3. Date of Death:	4. Age at time of Death:		
5. Social Security Number:			
6. Date of Birth:			
7. Place of Birth:			
8. Was Decedent Ever in the Armed Forces:	<input type="checkbox"/> Yes <input type="checkbox"/> No	From	to
9. Place of Death:			
10. Facility Name and Address:			
11. Marital Status:			
12. Spouse's Name:			
13. Decedent's Occupation - Kind of Business:			
14. Decedent's Residence:			
15. Race:	16. Education:		
17. Father's Name:			
18. Mother's Name:			
19. Informant's Name:			
20. Informant's Relationship:			
21. Mailing Address:			
22. Method - Place of Disposition:			
23. Funeral Director:			
24. Embalmer:			
25. Name and Address of Funeral Home:			
26. Medical Examiner's Name and Address:			
27. Physician's Name and Address:			
28. Date Certificate Filed:			
Other Information:			

**NO CERTIFICATE ON FILE
WITH INFORMATION GIVEN**

☐

We were unable to locate a certificate
with information given.

Verified By: *Veronica Small*
Title: *Information Assistant*
Date Verified: *October 5, 2006*

Important: The Public Records and commercially available data sources used on reports have errors. Data is sometimes entered poorly, processed incorrectly and is generally not free from defect. This system should not be relied upon as definitively accurate. Before relying on any data this system supplies, it should be independently verified. For Secretary of State documents, the following data is for information purposes only and is not an official record. Certified copies may be obtained from that individual state's Department of State.

Comprehensive Report

Comprehensive Report
Date: 09/22/06

Report Legend:

- S** - Shared Address
- D** - Deceased
- ✓** - Probable Current Address

Subject Information:

Name: PHILLIP C ELLIOTT **D**
Date of Birth: 11/11/1903
Date of Death: 06/1985 (DAVIDSON, TN)
Age at Death: 81 (Born 102 years ago)
SSN: [REDACTED] issued in Tennessee between 01/01/1960 and 12/31/1961

Names Associated With Subject:

D PHILIP ELLIOTT DOB:11/11/1903 DOD:06/1985 (DAVIDSON, TN) Age at Death: 81 (Born 102 years ago)
[REDACTED] issued in Tennessee between 01/01/1960 and 12/31/1961

Others Associated With Subjects SSN:

(DOES NOT usually indicate any type of fraud or deception)

O C ELLIOTT Age: [REDACTED] issued in Tennessee between 01/01/1960 and 12/31/1961

Comprehensive Report Summary:

Names Associated With Subject	1 Found
Others Associated With Subjects SSN	1 Found
Possible Criminal Records	None Found
Sexual Offenses	None Found
Driver's License	None Found
Motor Vehicles Registered	None Found
Florida Accidents	None Found
Concealed Weapons Permit	None Found
People at Work	None Found
Professional Licenses	None Found
FAA Certifications	None Found
FAA Aircrafts	None Found
Watercraft	None Found
	None Found

9/22/2006

Voter Registration	
Hunting/Fishing Permit	None Found
Bankruptcies	None Found
Tax Liens & Judgments	None Found
UCC Filings	None Found
Possible Properties Owned	None Found
Possible Associates	None Found
Possible Relatives	1st Degree - None Found 2nd Degree - None Found 3rd Degree - None Found
Neighbors	1st Neighborhood - 2 Found

Address Summary:

Address	County	Dates	Maps
415 BUSHNELL ST, NASHVILLE TN 37206-1820	DAVIDSON	Mar 1985 - Dec 1992	Map

Previous And Non-Verified Address(es):

PHILLIP C ELLIOTT - 415 BUSHNELL ST, NASHVILLE TN 37206-1820, DAVIDSON COUNTY (Mar 1985 - Dec 1992)

COOK JAY & JENNIFER (615) 227-7123

Property Ownership Information for this Address**Property:**

Parcel Number - 083-10 122

Lot Number - 45

Owner Name 1 - COOK JAMES

Owner Name 2 - COOK JENNIFER

Address - 415 BUSHNELL ST, NASHVILLE TN 37206-1820, DAVIDSON COUNTY

Owner's Address - 415 BUSHNELL ST, NASHVILLE TN 37206-1820, DAVIDSON COUNTY

Land Usage - DUPLEX

Subdivision Name - MCEWEN PLACE

Total Value - \$86,825

Land Value - \$10,500

Improvement Value - \$76,325

Land Size - 25,700

Year Built - 1930

Exterior Walls - STONE

Roof Type - ASPHALT

Heating - CENTRAL

Sale Date - 10/29/2004

Sale Price - \$345,000

Sellers Name 1 - REAVES DEIRDRE & GILES

Legal Description - LOTS 45 46 47 48 49 50 MCEWEN PLACE

Lender Name - UNION PLANTERS BK

Interest Rate Type - FIX

Data Source - A

Neighborhood Profile (2000 Census)

Average Age: 39

Median Household Income: \$39,000

Median Owner Occupied Home Value: \$90,700

Average Years of Education: 13

 Possible Criminal Records:

[None Found]

 Sexual Offenses:

[None Found]

 Driver's License Information:

9/22/2006

[None Found]

 **Motor Vehicles Registered To Subject:**
[None Found]

 **Florida Accidents:**
[None Found]

 **Concealed Weapons Permit:**
[None Found]

 **People at Work:**
[None Found]

 **Professional License(s):**
[None Found]

 **FAA Certifications:**
[None Found]

 **FAA Aircrafts:**
[None Found]

 **Watercraft:**
[None Found]

 **Voter Registration:**
[None Found]

 **Hunting/Fishing Permit:**
[None Found]

 **Bankruptcies:**
[None Found]

 **Tax Liens and Judgments:**
[None Found]

 **UCC Filings:**
[None Found]

 **Possible Properties Owned by Subject:**
[None Found]

 **Possible Associates:**
[None Found]

 **Possible Relatives:**
[None Found]

 **Neighbors:**

9/22/2006

Neighborhood:

415 BUSHNELL ST, NASHVILLE TN 37206-1820, DAVIDSON COUNTY

Residents:

JAMES HOWARD COOK JR DOB:05/03/1972 Age: 34

[REDACTED] xxx issued in Tennessee between 01/01/1982 and 12/31/1983

JAY COOK Age:

JENNIFER COOK Age:

COOK JAY & JENNIFER (615) 227-7123

Address(es):

✓ 416 BUSHNELL ST, NASHVILLE TN 37206-1821 DAVIDSON COUNTY (Apr 2000 - Aug 2006)

Residents:

DELORES H MCVAY Age:

DELORES H MCVAY DOB:10/1970 Age: 35

[REDACTED] xxx issued in Illinois between 01/01/1981 and 12/31/1983

NEDRA D MCVAY DOB:10/23/1970 Age: 35

[REDACTED] xxx issued in Illinois between 01/01/1981 and 12/31/1983

NESHEE MCVAY Age:

NETRA D MCVAY Age:

[REDACTED] xxx issued in Illinois between 01/01/1981 and 12/31/1983

MCVAY NESHEE (615) 262-0076

✓ 411 BUSHNELL ST, NASHVILLE TN 37206-1820, DAVIDSON COUNTY

Residents:

ASHLEY BREANA BOSTIC DOB:06/13/1987 Age: 19

C A BOSTIC Age:

[REDACTED] xxx issued in Ohio between 01/01/1974 and 12/31/1975

CHRISTINA A BOSTIC Age:

[REDACTED] x issued in Tennessee between 01/01/1990 and 12/31/1991

CHRISTINA ANNETTE BOSTIC DOB:05/04/1960 Age: 46

[REDACTED] xxx issued in Ohio between 01/01/1974 and 12/31/1975

DANNY BOSTIC Age:

BOSTIC DANNY (615) 228-3522

9/22/2006

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT
IN AND FOR WALTON COUNTY, FLORIDA

JOHN G. MORRIS, JOHN T. CRUNK
and SUSAN LUCAS, formerly known as
SUSAN LUCAS UPDYKE,
Plaintiffs,

v.

CASE NO. 06-CA-000395

BLUE GULF CORPORATION,
a dissolved Florida corporation,
Defendant.

FILED
WALTON CO. FLORIDA
CLERK OF COURTS
2007 APR 16 A 10:29

SECOND AMENDED FINAL SUMMARY JUDGMENT

THIS MATTER being before the Court upon the Motion of Plaintiffs, JOHN G. MORRIS, JOHN T. CRUNK and SUSAN LUCAS, formerly known as SUSAN LUCAS UPDYKE to amend the Amended Summary Final Judgment entered by this Court, and the Court having considered the said Motion, the Court finds as follows:

1. There is no genuine issue as to any material fact or law as alleged in the Complaint.
2. The Plaintiffs, JOHN G. MORRIS, JOHN T. CRUNK and SUSAN LUCAS, formerly known as SUSAN LUCAS UPDYKE, are the fee simple owners, respectively, of the following described real properties situated in Blue Mountain Beach Subdivision No. 1, each of the properties being respectively, legally described as follows:

JOHN G. MORRIS:

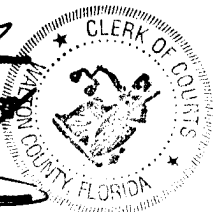
All that tract or parcel of land lying and being in Walton County, Florida and being the eastern twenty-five (25) feet of Lot 8 and the entire Lot 9 in Block 12, according to plat of Blue-Mountain Beach Subdivision No. One (1), by Sherlock, Smith and Adams, Inc., that appears of record in the office of the Clerk of the Circuit Court of Walton County, Florida.

Page 1 of 4

CERTIFIED A TRUE COPY

MAY 16 2007
MARTHA INGLE, CLERK
CIRCUIT COURT-COUNTY COURT
WALTON COUNTY, FLORIDA

BY: 
DEPUTY CLERK



352ml



JOHN T. CRUNK:

Lot 1, Block 11, Blue Mountain Beach Subdivision, No. 1, according to the plat thereof, as recorded in Plat Book 2, Page 41, of the public records of Walton County, Florida.

SUSAN LUCAS f/k/a SUSAN LUCAS UPDYKE:

Lot 9 in Block 11, Blue Mountain Beach Subdivision No. 1, according to Plat of said Subdivision by Sherlock, Smith & Adams, on file in the office of the Clerk of the Circuit Court, Walton County, Florida.

3. Defendant, BLUE GULF CORPORATION, a dissolved Florida corporation, was administratively dissolved by the State of Florida on July 2, 1973 and it was the corporate successor of the original developer/titleholder, WEST FLORIDA DEVELOPMENT COMPANY, a dissolved Florida for profit corporation.

4. There is no evidence of a successor to Defendant, BLUE GULF CORPORATION, and that all of the members of the last known Board of Directors of said Defendant are deceased.

5. The plat of Blue Mountain Beach Subdivision No. 1 was filed in the Public Records of Walton County, Florida on or about October 6, 1948, in Plat Book 2 at Page 41, and at the time thereof, WEST FLORIDA DEVELOPMENT COMPANY, was the fee simple owner of all properties contained within the boundaries of said subdivision and was the owner of all property lying directly south of the "bluff line" to the mean high water line of the waters of the Gulf of Mexico.

6. On or about November 7, 1955, WEST FLORIDA DEVELOPMENT COMPANY, caused to be recorded in the Public Records of Walton County, Florida, in Deed Book 141, at Page 182-183, a legal document containing covenants between the developer and the owners of lots in Blocks 10, 11, 12 and 13 of said subdivision which stated that if WEST FLORIDA DEVELOPMENT COMPANY or any *"successor or transferee corporation holding title to the beach area should be dissolved or have its corporate existence terminated all of the beach area lying between Blocks 10, 11, 12 and 13 and the Gulf of Mexico will be conveyed to the individual owners Lots in the above numbered Blocks their heirs, successors or assigns without payment of further consideration"*, subject only to a restriction in any deeds transferring the subject property that the fee simple owners thereof *"will not interfere with the normal use and enjoyment of said beach area by any owner of property in Blue Mountain Beach Subdivision No. 1"*.

7. The covenant referred to above, in Paragraph 6, is a permanent covenant which runs with the title to the lots lying in Blocks 10, 11, 12 and 13 in said subdivision.

8. The lots owned by each of the Plaintiffs named above are situated in the Blocks referred to in the above Paragraph and are therefore entitled to a conveyance of fee simple title to the real property lying south of their respective lots as shown on the plat of Blue Mountain Beach Subdivision No. 1, southward to the "mean high water line of the waters of the Gulf of Mexico" as was covenanted by West Florida Development Corporation.

Based upon the foregoing finding of fact and conclusions of law, it is,

ORDERED and ADJUDGED that:

A. The Plaintiffs' Motion for Summary Judgment against BLUE GULF CORPORATION, a dissolved Florida corporation, is hereby GRANTED.

B. The above named Plaintiffs are entitled to fee simple ownership of the property lying adjacent to and south of their respective lots to the mean high water line of the Gulf of Mexico which properties are respectively described as follows:

to **JOHN G. MORRIS:**

That property lying south of Lot 9 and the east twenty-five(25) feet of Lot 8, in Block 11, according to the Plat of Blue Mountain Beach Subdivision No. 1, adjacent to and between an extension of the east side lot line of said Lot 9 and a line drawn 25 feet west of and parallel to the east lot line of said Lot 8, in Block 12, southward to the mean high water line of the waters of the Gulf of Mexico, in Walton County, Florida.

to **JOHN T. CRUNK:**

That property lying south of Lot 1, in Block 11, according to the Plat of Blue Mountain Beach Subdivision No. 1, adjacent to and between an extension of the side lot lines of said Lot 1, in Block 11, southward to the mean high water line of the waters of the Gulf of Mexico, in Walton County, Florida.

to **SUSAN LUCAS f/k/a SUSAN LUCAS UPDYKE:**

That property lying south of Lot 9 in Block 11, according to the Plat of Blue Mountain Beach Subdivision No. 1, adjacent to and between an extension of the side lot lines of said Lot 9, in Block 11, southward to the mean high water line of the waters of the Gulf of Mexico, in Walton County, Florida.

C. Since there is no "successor or corporate transferee" of WEST FLORIDA DEVELOPMENT COMPANY or BLUE GULF CORPORATION in existence which holds title to the "beach area" south of Blocks 10, 11, 12, and 13 of the Blue Mountain Beach Subdivision No. 1, the Court appoints J. LORRIANE BYTELL as Trustee for WEST FLORIDA DEVELOPMENT COMPANY and BLUE GULF CORPORATION, dissolved Florida corporations, to make fee simple conveyances by Trustee's Deed to the Plaintiffs of the respective properties described above, subject to the restriction that the owner thereof "*will not interfere with the normal use and enjoyment of said beach area by any owner of property in Blue Mountain Beach Subdivision No. 1*".

DONE AND ORDERED in Chambers in DeFuniak Springs, Walton County, Florida, this
1st day of April, 2007.


W. HOWARD LAPORTE, Circuit Judge

CERTIFICATE OF MAILING

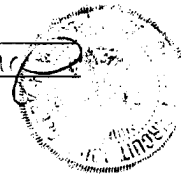
I HEREBY CERTIFY that a copy of the foregoing Second Amended Summary Final Judgment has been furnished to the following:

William S. Howell, Jr., P.A.
Attorney for Plaintiffs
1727 S. Co. Hwy. 393
Santa Rosa Beach, FL 32459

Lorriane Bytell, Esquire
Attorney ad Litem
1250 Circle Drive
DeFuniak Springs, FL 32435

MARTHA INGLE
Clerk of Court

By: 
Deputy Clerk



G:\MORRIS LUCAS CRUNK\Second Amended FinalSummJdgmt.wpd